

Hart County School System

284 South Campbell Drive
P.O. Box 696
Hartwell, Georgia 30643

RECEIVED & INSPECTED

OCT 27 2004

FCC - MAILROOM

Mike Hurley
Director of Technology

October 21, 2004

FCC
Office of the Secretary
445 12th Street SW
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

Letter of Appeal CC Docket No. 02-6

Hart County School System
Entity # 127382
Form 471 Application # 395563
FRN 1081304
Service Provider - EduTek Education Solutions Inc.
Spin # 143008653
Recurring Charges \$105,000.00
Service Start Date 07/01/2004
Funding Denial letter dated October 12, 2004
SLD denied funding based on lack of signed 470.

Narrative:

This is the third year of a continuing wireless internet connectivity contract. Contract originally denied based on non certified 470 - Missing signed last page of 470. The 470 was submitted via registered mail and copy of signed receipts provided to SLD in original appeal. When copy of original signed 470 could not be found (I have copies of all the pages but the last - with signature) I so informed the investigator. (I do have copies of the printed out 470 which I have attached but not the two pages that you send in for paper certification. I believe now that they are only just copies of the last two pages copies of which I have and are attached.) We have never had a pin number so we could not verify on line, (see attached certification error page) and connection problems with our internet at that time. Thus we sent signed copies via registered mail. I can prove that I sent them, but can not prove that they received them. I have the signed return receipt but no copy of the original submitted confirmation signature page.

I feel I did my best to provide the information required and because the contract is a continuation of an existing e-rate funded program (that has met all criteria for the

No. of Copies rec'd _____
List ABCDE _____

previous 2 years) we are being denied funding based on the lack of a sheet of paper.

This program is a critical component in the student access to the internet and distance learning classes. This program provides the wireless connectivity for all of our schools to the internet. It funds the wireless connection between the schools and our phone service to the internet. Should we be denied funding it is possible that the local board of education will be unable to replace this vital link and internet and distance learning access will cease. We are a rural school system and can not afford fiber connectivity.

Summation:

1. 470 was correctly posted and submitted inside correct window
2. 471 was submitted and acknowledged inside correct window
3. Is a request is for continuation of 3rd year funding
4. All communication to this point has been by certified mail on this and all other e-rate applications.
5. SLD is missing signature page on 470 application.
6. Discussed this missing page issue at length with SLD on several conversations.
7. Offered to provide any pages necessary including a newly printed signature page.
8. I am requesting that the SLD denial be reversed based on need of system and students and validity of program vice lack of paperwork.

Respectfully Submitted
John M. Hurley, Sr. (Mike)
Director of Technology
Hart County School System
706-376-5141
mike@hart.k12.ga.us

Attachments



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal
Funding Year 2004-2005

October 12, 2004

Mike Hurley
Hart County School System
284 South Campbell Drive
Hartwell, GA 30643

Re: Applicant Name: Hart County School System
 Billed Entity Number: 127382
 Form 471 Application Number: 395563
 Funding Request Number(s): 1081304
 Your Correspondence Dated: July 8, 2004

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2004 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Numbers: 1081304
Decision on Appeal: **Denied in full**
Explanation:

- You are appealing the SLD's decision to deny funding for FRN 1081304 which referenced a Form 470 that was not certified. You state that you were unable to get on line confirmation of your Form 470 because you did not have a PIN number but you sent in the form by registered mail, return receipt requested. The postmark date of the registered mail was December 5, 2004.
- Upon review of the appeal letter and all relevant documentation, it is determined that this funding request was correctly processed by Program Integrity Assurance. The referenced form 470 was received unsigned by the SLD. This signature was required for further review of this FRN. On May 5, 2004, you were asked for the signature/certification page to which you replied "I do not have a signed copy of the 470, only the stapled registration sheet that I kept when I sent it ". The applicant is responsible for providing all required

forms to SLD in a timely and accurate manner. You have failed to provide evidence on appeal that SLD has erred in its determination. Consequently, your appeal is denied.

- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et. al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶ 5 (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification. If the Form 470 Certification is not postmarked by the final date of the filing window, that Form 470 cannot be used to establish the competitive bidding process for any funding requests that cite that Form 470.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the Federal Communications Commission (FCC). For appeals that have been denied in full, partially approved, dismissed, or cancelled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

Subject: CC Docket No. 02-6

From: Mike Hurley <mike@hart.k12.ga.us>

Date: Tue, 19 Oct 2004 16:31:25 -0400

To: appeals@sl.universalservice.org, Mike Hurley <mhurley@hartcom.net>

Letter of Appeal
CC Docket No. 02-6

Hart County School System
Entity # 127382
Form 471 Application # 395563
FRN 1081304
Service Provider - EduTek Education Solutions Inc.
Spin # 143008653
Recurring Charges \$105,000.00
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I feel I did my best to provide the information required and because the contract is a continuation of an existing e-rate funded program (that has met all criteria for the previous 2 years) we are being denied funding based on the lack of a sheet of paper.

This program is a critical component in the student access to the internet and distance learning classes. This program provides the wireless connectivity for all of our schools to the internet. It funds the wireless connection between the schools and our phone service to the internet. Should we be denied funding it is possible that the local board of education will be unable to replace this vital link and internet and distance learning access will cease. We are a rural school system and can not afford fiber connectivity.

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7. Offered to provide any pages necessary including a newly printed signature page.
8. Request denial be reversed based on need of system and students and validity of program vice lack of paperwork.

Respectfully Submitted
John M. Hurley, Sr. (Mike)
Director of Technology
Hart County School System
706-376-5141
mike@hart.k12.ga.us

TRANSMISSION VERIFICATION REPORT

TIME : 05/04/2004 16:00

DATE, TIME	05/04 15:57
FAX NO./NAME	919735996513
DURATION	00:02:17
PAGE(S)	06
RESULT	OK
MODE	STANDARD
	ECM

HART COUNTY BOARD OF EDUCATION

284 CAMPBELL DRIVE, P. O. BOX 696

HARTWELL, GEORGIA 30643

(706) 376-5141

FAX NUMBER (706) 376-7046

FACSIMILE TRANSMITTAL

DATE: 5/4/04 TIME: 16:27

ATTENTION: JOEL SALAUERIA

TO FAX NUMBER: 973-599-6513

COMPANY: SCHOOLS & LIBRARIES

ORIGINATOR: MIKE HURLEY

NUMBER OF PAGES INCLUDING COVER SHEET: 6

MESSAGE: _____

Joel

In response to your questions;

A.) For FRN 1079820, is filtering service included in the Advanced Internet Service charges amounting to \$8,750.00/month.

No filtering is any part of this FRN or any other we have applied for. We pay this out of local funds.

B.) On your original Form 471, Form 470 Application Number **800900000465381** is referenced as the establishing Form 470 on FRN 1081304. This Form 470 is not certified *or* the Form 470 certification was postmarked after the close of the filing window on February 4th, 2004, which is a violation of the rules of this support mechanism. The rules of this support mechanism require that the Form 470 Certification be postmarked on or before the close of the filing window on February 4, 2004.

I will fax you a copy of the original first page of the 470 with the attached return receipt for the signed copy we sent as we had never been funded before and could not sign off on line. We definitely did submit prior to February date.

Please verify if the referenced Form 470 is the establishing Form 470 for the services requested. If the referenced Form 470 is NOT the establishing Form 470, please provide the 15-digit Form 470 Number that established the bidding for the services requested.

The establishing Form 470 is the specific Form 470, which was posted for the services requested for 28 days, and pursuant to which a contract was signed or an agreement was entered into. The establishing Form 470 could have been posted by the State, if the requested services are being purchased off of a State Master Contract.

Joel Salaveria wrote:

Please see attached.

Joel Salaveria
School and Libraries Division
Program Integrity Assurance
Phone No. (973) 428-7337
Fax No. 973-599-6513

470

Schools and Libraries Universal Service Description of Services and Certification

Estimate

This form is designed to help you describe the eligible telecommunications services so that this data can be posted on the Fund Administrator's website so that providers can identify you as a potential customer and competitor. Please read instructions before completing. (To be used by)

U.S. Postal Service
CERTIFIED MAIL
(Domestic Mail Only; No Return Receipt)
For delivery information visit our website.

OFFICIAL

Postage	\$.37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42

Postmark Here

Sent To
SLD-Form 470 - c/o Mrs. Smith
Street, Apt. No., or PO Box No. 3833 Greenway Drive
City, State, ZIP+4 Lawrence, Kansas 66046

PS Form 3800, June 2002

See Reverse for Instructions

Block 1: Applicant Address and (School, library, or consortium desiring Universal Service funding.)

Form 470 Application Number: 800900000465381

Applicant's Form Identifier: engineer

Application Status: COMPLETE

Posting Date: 11/03/2003

Allowable Contract Date: 12/01/2003

Certification Received Date:

1. Name of Applicant:

HART COUNTY SCHOOL DISTRICT

2. Funding Year:

07/01/2004 - 06/30/2005

3. Your Entity Number

127382

4. Applicant's Street Address, P.O.Box, or Route Number

a. Street

100 CAMPBELL DR

City

HARTWELL

State

GA

Zip Code 5Digit

30643

Zip Code 4Digit

b. Telephone number

(706) 376- 5141

ext.

c. Fax number

(706) 376- 7046

d. E-mail Address

5. Type Of Applicant (Check only one box)

- ☐ Library (including library system, library branch, or library consortium applying as a library)
- ☐ Individual School (individual public or non-public school)
- ☒ School District (LEA; public or non-public [e.g., diocesan] local district representing multiple schools)
- ☐ Consortium (intermediate service agencies, states, state networks, special consortia)

6a. Contact Person's Name: Mike Hurley

6b. Street Address, P.O.Box, or Route Number (if different from Item 4)

100 CAMPBELL DR

470

Schools and Libraries Universal Service Description of Service and Certification

Esti

This form is designed to help you describe the eligible telecommunication service so that this data can be posted on the Fund Administrator's website so that providers can identify you as a potential customer and complete the certification process. Please read instructions before completing. (To be completed by the applicant)

Block 1: Applicant Address and Description of Service (School, library, or consortium desiring service)

Form 470 Application Number: 800900000465381

Applicant's Form Identifier: engineer

Application Status: COMPLETE

Posting Date: 11/03/2003

Allowable Contract Date: 12/01/2003

Certification Received Date:

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

SLD-Form 470
c/o Mrs. Smith
3833 Greenway Drive
Lawrence, Kansas 66046

COMPLETE THIS SECTION ON DELIVERY

A. Signature of Agent
PEARSON GOVT SOLUTIONS
MAIL AGENT ☒ Addressee

B. Received by (Printed Name) ☐ Date of Delivery

DEC 10 2003

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7003 1010 0004 1777 4167

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

1. Name of Applicant:

HART COUNTY SCHOOL DISTRICT

2. Funding Year:

07/01/2004 - 06/30/2005

3. Your Entity Number

127382

4. Applicant's Street Address, P.O.Box, or Route Number

a. Street

100 CAMPBELL DR

City

HARTWELL

State

GA

Zip Code 5Digit

30643

Zip Code 4Digit

b. Telephone number

(706) 376- 5141

ext.

c. Fax number

(706) 376- 7046

d. E-mail Address

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- ☐ Individual School (individual public or non-public school)
- ☒ School District (LEA; public or non-public [e.g., diocesan] local district representing multiple schools)
- ☐ Consortium (intermediate service agencies, states, state networks, special consortia)

6a. Contact Person's Name: Mike Hurley

6b. Street Address, P.O.Box, or Route Number (if different from Item 4)

100 CAMPBELL DR

City HARTWELL	State GA	Zip Code 5Digit 30643	Zip Code 4Digit
<input type="radio"/> 6c. Telephone Number (10 digits + ext.) (706) 376- 5141			
<input type="radio"/> 6d. Fax Number (10 digits) (706) 376- 7046			
<input checked="" type="radio"/> 6e. E-mail Address (50 characters max.) mike@hart.k12.ga.us			

Block 2: Summary Description of Needs or Services Requested

7 This Form 470 describes (check all that apply):

- a. ☐ Tariffed services - telecommunications services, purchased at regulated prices, for which the applicant has no signed, written contract. A new Form 470 must be filed for tariffed services for each funding year.
- b. ☐ Month-to-month services for which the applicant has no signed, written contract. A new Form 470 must be filed for these services for each funding year.
- c. ☒ Services for which a new written contract is sought for the funding year in Item 2.
- d. ☐ A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous program year.

NOTE: Services that are covered by a qualified contract for all or part of the funding year in Item 2 do NOT require filing of Form 470. A qualified contract is a signed, written contract executed pursuant to posting a Form 470 in a previous program year OR a contract signed on/before 7/10/97 and reported on a Form 470 in a previous year as an existing contract.

8 ☐ Telecommunications Services

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

- a. ☐ YES, I have an RFP. Choose one of the following: It is available on the Web at
or via ☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.
- b. ☐ NO, I do not have an RFP for these services.

If you answered NO, you must list below the Telecommunications Services you seek. Specify each service or function (e.g., local voice service) and quantity and/or capacity(e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Telecommunications Services, and remember that only common carrier telecommunications companies can provide these services under the universal service support mechanism. Add additional lines if needed.

9 ☒ Internet Access

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

- a. ☒ YES, I have an RFP. Choose one of the following: It is available on the Web at
or via ☒ the Contact Person in Item 6 or ☐ the contact listed in Item 11.
- b. ☐ NO, I do not have an RFP for these services.

If you answered NO, you must list below the Internet Access Services you seek. Specify each service or function (e.g., monthly Internet service) and quantity and/or capacity(e.g., for 500 users). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internet Access Services. Add additional lines if needed.

10 ☐ Internal Connections

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

a ☐ YES, I have an RFP. Choose one of the following: It is available on the Web at
or via ☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b ☐ NO, I do not have an RFP for these services.

If you answered NO, you must list below the Internal Connections Services you seek. Specify each service or function (e.g., local area network) and quantity and/or capacity(e.g., connecting 10 rooms and 300 computers at 56Kbps or better). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internal Connections Services. Add additional lines if needed.

11 (Optional) Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the signer of this form.

Name:

Title:

Telephone number (10 digits + ext.)

0 -

Fax number

0 -

E-mail Address (50 characters max.)

12. ☐ Check here if there are any restrictions imposed by state or local laws or regulations on how or when providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or give Web address where they are posted.

13. (Optional) Purchases in future years: If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, summarize below (including the likely time-frames).

Continuation of Internet access and connectivity.

Block 3: Technology Assessment

14. ☐ Basic telephone service only: If your application is for basic local and long distance voice telephone service only, check this box and skip to Item 16.

15. Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check at least one box in (a) through (e). You may provide details for purchases being sought.

- a. Desktop communications software: Software required ☒ has been purchased; and/or ☐ is being sought.
- b. Electrical systems: ☒ adequate electrical capacity is in place or has already been arranged; and/or ☐ upgrading for additional electrical capacity is being sought.
- c. Computers: a sufficient quantity of computers ☒ has been purchased; and/or ☐ is being sought.
- d. Computer hardware maintenance: adequate arrangements ☒ have been made; and/or ☐ are being sought.
- e. Staff development: ☒ all staff have had an appropriate level of training or additional training has already been scheduled; and/or ☐ training is being sought.
- f. Additional details: Use this space to provide additional details to help providers to identify the services you desire.
Internet access and connectivity.

Block 4: Recipients of Service

16. Eligible Entities That Will Receive Service:

Check the **ONE** choice that best describes this application and the eligible entities that will receive the services described in this application.

You must select a state if (b) or (c) is selected:

a. ☐ Individual school or single-site library: Check here, and enter the billed entity in Item 17.

b. ☐ Statewide application (check all that apply):

- ☐ All public schools/districts in the state:
☐ All non-public schools in the state:
☐ All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here. ☐ If checked, complete Item 18.

c. ☒ School district, library system, or consortium application to serve multiple eligible sites:

Number of eligible sites	6
<i>For these eligible sites, please provide the following</i>	
Area Codes (list each unique area code)	Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces

706	376,377,856
If your application includes INELIGIBLE entities, check here. <input type="checkbox"/> If checked, complete Item 18.	

17. Billed Entities

Entity Name	Entity Number
HART COUNTY SCHOOL DISTRICT	127382

18. Ineligible Entities

Ineligible Participating Entity	Entity Number	Area Code	Prefix
---------------------------------	---------------	-----------	--------

Block 5: Certification**19. The applicant includes:(Check one or both)**

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1965, 20 U.S.C. Secs. 8801(14) and (25), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to) elementary and secondary schools, colleges and universities.

20. All of the individual schools, libraries, and library consortia receiving services under this application are covered by:

- a. ☒ individual technology plans for using the services requested in the application
- b. ☒ higher-level technology plans for using the services requested in the application
- c. ☐ no technology plan needed; application requests basic local and long distance telephone service only.

21. Status of technology plans (if representing multiple entities with mixed technology plan status, check both a and b):

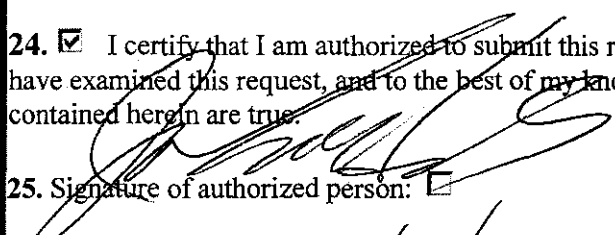
- a. ☒ technology plan(s) has/have been approved by a state or other authorized body.
- b. ☐ technology plan(s) will be approved by a state or other authorized body.
- c. ☐ no technology plan needed; application requests basic local and long distance telephone service only.

22. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will

be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.

23. ☒ I recognize that support under this support mechanism is conditional upon the school(s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.

24. ☒ I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. Signature of authorized person:  ☐

26. Date (mm/dd/yyyy): 12/10/2003

27. Printed name of authorized person: John M. Hurley Sr.

28. Title or position of authorized person: Director of Technology

29. Telephone number of authorized person: (706) 376 - 5141 ext.



The logo for USAC (Universal Service Administrative Company) is displayed in a stylized font.

PIN Area

Sorry!

We are unable to fulfill your request based on the information you have passed to us. Please contact customer service with the following reference number: **42227**

You can call the Client Service Bureau at 1-888-203-8100 or send an e-mail to **question@universalservice.org**



Home | PIN Client Service Bureau: **question@universalservice.org** |
Phone: 1-888-203-8100

[Request a PIN](#)[Reprint your PIN](#)[Regenerate your PIN](#)[Forgot User ID](#)[User Account](#)

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FCC Form 471

Services Ordered and Certification Form

Applicant's Form Identifier: Engineer 2004-5

Contact Person: Mike Hurley

Block 6: Certifications

Do not write in this

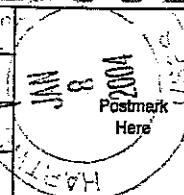
http://www.usps.com
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U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.60
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65



Sent To: SLD - Form 471 - C/O Ms. Smith
Street, Apt. No., or PO Box No.: 3833 Greenway Drive
City, State, ZIP+4: Lawrence KS 66046
PS Form 3800, June 2002 See Reverse for Instructions

471 Application Number: 395563

24. The entities listed in Block 4 of this application are eligible for support because they are: (check one or both)

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school including, but not limited to, elementary and secondary schools, colleges and universities

25. The eligible schools and libraries listed in Block 4 of this application have secured access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to make effective use of the services purchased as well as to pay the discounted charges for eligible services.

26. All of the schools and libraries or library consortia listed in Block 4 of this application are covered by:

- a. ☒ an individual technology plan for using the services requested in this application; and/or
- b. ☒ higher-level technology plan(s) for using the services requested in this application; or
- c. ☐ no technology plan needed; applying for basic local and long distance telephone service only.

27. Status of technology plans (if representing multiple entities with mixed technology plan status, check both a and b):

- a. ☒ technology plan(s) has/have been approved; and/or
- b. ☐ technology plan(s) will be approved by a state or other authorized body; or
- c. ☐ no technology plan needed; applying for basic local and long distance telephone service only.

28. I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurement of services for which support is being sought.

Ladies and Gentlemen

I have found the copy of the original signed sheet we have been missing. I filed it in the wrong 470 folder. Would you please reconsider the below appeal or must I go to the FCC as a normal procedure? Nothing implied, just need to know how best to proceed. I talked to Nancy Golden this morning and thought that was my next step. However now I have the missing sheet.

Any and all additional information will gladly be supplied.

Attached is yesterdays correspondance that is relevant.

Letter of Appeal

CC Docket No. 02-6

Hart County School System

Entity # 127382

Form 471 Application # 395563

FRN 1081304

Service Provider - EduTek Education Solutions Inc.

Spin # 143008653

Recurring Charges \$105,000.00

Service Start Date 07/01/2004

Funding Denial letter dated October 12, 2004

SLD denied funding based on lack of signed 470.

Narrative:

This is the third year of a continuing wireless internet connectivity contract.

Contract originally denied based on non certified 470 - Missing signed last page of 470.

The 470 was submitted via registered mail and copy of signed receipts provided to SLD in original appeal. When copy of original signed 470 could not be found (I have copies of all the pages but the last - with signature) I so informed the investigator. We have never had a pin number so we could not verify on line, and connection problems were existing at that time. Thus we sent signed copies via registered mail. I can prove that I sent them but can not prove that they received them. I have the signed return receipt but no copy of the original signature page. I feel I did my best to provide the information required and because the contract is a continuation of an existing e-rate funded program (that has met all criteria for the previous 2 years) we are being denied funding based on the lack of a sheet of paper.

This program is a critical component in the student access to the internet and distance learning classes. This program provides the wireless connectivity for all of our schools to the internet. It funds the wireless connection between the schools and our phone service to the internet. Should we be denied funding it is possible that the local board of education will be unable to replace this vital link and internet and distance learning access will cease. We are a rural school system and can not afford fiber connectivity.

Summation:

1. 470 was correctly posted and submitted inside correct window
2. 471 was submitted and acknowledged inside correct window
3. Is a request is for continuation of 3rd year funding
4. All communication to this point has been by certified mail on this and all other e-rate applications.
5. SLD is missing signature page on 470 application.
6. Discussed this missing page issue at length with SLD on several conversations.
7. Offered to provide any pages necessary including a newly printed signature page.
8. Request denial be reversed based on need of system and students and validity of program vice lack of paperwork.

Respectfully Submitted
John M. Hurley, Sr. (Mike)
Director of Technology
Hart County School System
706-376-5141
mike@hart.k12.ga.us

Subject: Re: CC Docket NO 02-6 Request for Appeal based on new information
From: "Appeals" <APPEALS@sl.universalservice.org>
Date: Fri, 22 Oct 2004 09:52:24 -0400
To: <mike@hart.k12.ga.us>

Mr. Hurley,
Your next step would still be the FCC.
Thank you

|| Mike Hurley <mike@hart.k12.ga.us> 10/21/04 04:08PM >>>
Ladies and Gentlemen
I have found the copy of the original signed sheet we have been missing.
I filed it in the wrong 470 folder. Would you please reconsider the below appeal or must I go to the FCC as a normal procedure? Nothing implied, just need to know how best to proceed. I talked to Nancy Golden this morning and thought that was my next step. However now I have the missing sheet.
Any and all additional information will gladly be supplied.
Attached is yesterdays correspondence that is relevant.

Letter of Appeal
CC Docket No. 02-6

Hart County School System
Entity # 127382
Form 471 Application # 395563
FRN 1081304
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Spin # 143008653
Recurring Charges \$105,000.00
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